



STATE OF CONNECTICUT
DEPARTMENT OF CONSTRUCTION SERVICES
OFFICE OF STATE FIRE MARSHAL



May 7, 2013

Fire Marshal James Tortora
CITY OF SHELTON
54 Hill Street
Shelton CT 06484

Fire Marshal Tortora:

As you are aware, on March 3, 2011, our office received a written complaint pursuant to section 29-298b of the Connecticut General Statutes regarding the performance of your duties as Fire Marshal for the City of Shelton. A member of the CT STATE POLICE FIRE & EXPLOSION INVESTIGATION UNIT led an investigation into this matter. I have reviewed the report of this investigation and have determined that on the basis of the facts and conduct contained therein probable cause exists to commence an administrative proceeding pursuant to said section 29-298b. Prior to the institution of this proceeding, and pursuant to section 4-182 of the Connecticut General Statutes, the following constitutes the facts and conduct warranting this intended action:

- As of the date of the complaint, violations of the state's fire safety regulations continued to exist at the Shelton High School which were not relayed to the owner pursuant to sections 29-305 and 29-306 of the Connecticut General Statutes. (See specifically tabs 15, 17, and 19 of the investigation report, attached.)
- As of the date of the complaint, annual inspections pursuant to section 29-305 of the Connecticut General Statutes had not been conducted at Shelton High School. Such inspections are intended to ensure compliance with all pertinent statutes and fire safety regulations. (See specifically tabs 9 and 17 of the investigation report, attached.)
- As a result of limited inspections at Shelton High School, numerous issues of non-compliance with the state's fire safety regulations were not identified. (See specifically tabs 15, 16, 17, 18, and 19 of the investigation report, attached.)
- As of the date of the complaint, reports of any inspections at any Shelton school conducted since October 1, 2009 were not provided to the local

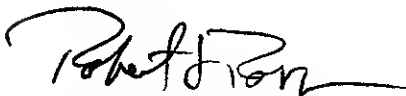
1111 Country Club Road
Middletown CT 06457
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board of education as required by section 29-305 of the Connecticut General Statutes. (See specifically tab 16 of the investigation report, attached.)

- Inspections of the 2006 addition/renovation project at Shelton High School failed to identify issues of non-compliance with the state's fire safety regulations. (See specifically tabs 16, 17, 18, and 19 of the investigation report, attached.)
- Failure to conduct a code compliance plan review of the 2006 addition/renovation project at Shelton High School in accordance with Section 29-292-5e of the *CT STATE FIRE SAFETY CODE* allowed the construction effort to result in violations of the state's fire safety regulations. (See specifically tab 16 of the investigation report, attached.)
- You failed to act upon reports from authentic sources of issues of non-compliance at the Shelton High, Intermediate and Perry Hill Schools as required by section 29-305 of the Connecticut General Statutes. (See specifically tabs 10, 16, 18, and 19 of the investigation report, attached.)

Pursuant to section 4-182(c) of the Connecticut General Statutes, you are provided an opportunity to demonstrate compliance with all lawful requirements for the retention of your certification. We have scheduled an informal conference with a representative of my office and members of the agency for this purpose. The informal conference has been scheduled for **June 19, 2013, at 11:00 a.m.** at the Department of Emergency Services and Public Protection, 1111 Country Club Road - Room 348, Middletown, Connecticut. If you have any questions about scheduling or procedures, please contact Terry Brouwer at (860) 685-8177.

Regards,



Robert J. Ross
STATE FIRE MARSHAL

C: Mayor Mark Lauretti; CITY OF SHELTON
Director of Public Safety Michael Maglione; CITY OF SHELTON
Attorney Ramon S. Sous; CITY OF SHELTON
DCS LEGAL DIVISION